IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
NOTICE OF MOTION NO.4227 OF 2006
in
INCOME TAX APPEAL (L) NO. of

The Commissioner of Income Tax City 17. .. Appellant

vs

M/s Rajeev Ship Breakers.. Respondents

Mr.R.Asokan for Appellant

CORAM : F.I.REBELLO AND R.S.MOHITE, JJ

DATED : 4TH DECEMBER, 2007

P.C.

1. This is a Notice of Motion for condoning 505 days delay in filing of the aforesaid Income Tax Appeal. A perusal of the affidavit in support of the Notice of Motion indicates that the Chief Commissioner of Income Tax granted approval for filing of the appeal on 12/5/2005 (wrongly tryped as 12/5/2006). Thereafter the matter was sent to the Advocate for drafting the appeal on 17/5/2005. The draft appeal however was collected from the advocate on 22/5/2006 i.e. after a period of about one year. In our view, the delay caused during the period from 17/5/2005 to 22/5/2006 has not been explained. The cause shown is therefore not sufficient cause. Consequently, Notice of Motion stands dismissed.